

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

STACEY WRIGHT,)
)
)
Plaintiff,)
)
)
v.) Case No.: CIV-16-149-D
) The Honorable Timothy D. DeGiusti
AMERICAN NATIONAL)
PROPERTY AND CASUALTY)
COMPANY, a foreign corporation;)
ZACHARY WILSON WELDING;)
and ZACHARY ALLEN WILSON,)
personally,)
)
)
Defendants.)

PLAINTIFF'S MOTION FOR DISMISSAL WITHOUT PREJUDICE

The Plaintiff, Stacey Wright, moves this Court, pursuant to Rule 41(a)(1)(A)(2), FED.R.CIV.P., for an Order dismissing the above-referenced lawsuit without prejudice to the refiling of same. In support hereof, Plaintiff shows the Court:

1. On May 6, 2016, this Court denied Plaintiff's Motion to Remand [Doc. No. 11].
2. Plaintiff does not desire to pursue this litigation further against the Defendant, American National Property and Casualty Company ("ANPAC"). Plaintiff will agree that, in the event she does decide to later refile her lawsuit against ANPAC, it will be filed in federal court.
3. The dismissal of this lawsuit at this time will inevitably the parties to avoid the unnecessary expenditure of fees and costs associated with a breach of contract/bad faith lawsuit.
4. There are no other motions or claims pending in the present lawsuit at this time.
5. This Court has not yet set a status/scheduling conference and no Scheduling Order has been entered.

WHEREFORE, the Plaintiff, Stacey Wright, respectfully requests this Court to enter an Order dismissing this lawsuit without prejudice.

Respectfully submitted,

s/ Gerard F. Pignato
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2016, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Andrew C. Jayne, Esquire

s/ Gerard F. Pignato
For the Firm